

# **Global Governance Of Genetic Resources Access And Benefit Sharing After The Nagoya Protocol**

***Implementing the Nagoya Protocol compares existing ABS regimes in ten European countries, including one non-EU member and one EU candidate country, and critically explores several cross-cutting issues related to the implementation of the Nagoya Protocol in the EU. Predictions about the success of the Convention on Biological Diversity (CBD) are pessimistic. It has now become commonplace to***

***bemoan the scope, ambition, and deeply political nature of a convention that addresses issues ranging from ecosystems protection to the exploitation of genetic resources, from conservation to justice, and from commerce to scientific knowledge. Ten years after its adoption, how can we assess the difference that the CBD has made? Is it in danger of collapsing under its own weight or is it building the foundations of new patterns of relations between societies and nature? What achievements can we record and what challenges does it face? In this book, which is unique in its scope, diversity***

**and the wealth of information it contains, contributors from a variety of academic disciplines tackle an issue of enduring importance to the protection of biodiversity and enhance our understanding of humanity's capacity to reconcile its various aspirations and halt the destructive path upon which it is set.**

**The proliferation of international institutions with overlapping scope and authority over issue areas creates strategic dilemmas for all states. While African states are often considered marginalised in world politics and global markets, Michael Byron Nelson shows how**

**coalitions can form a crucial part of African strategies to influence international institutions and achieve results. Building a bottom-up analysis of global governance, through legal analysis, content analysis, and in-depth interviews, Nelson illuminates institutional and coalition dynamics through case studies of three key areas - food safety, intellectual property, and agricultural trade. He highlights the difficulties encountered by coalitions attempting to navigate institutional systems, emerging from institutional thickness (increasing the number of institutions involved) and**

**integration (increasing the formal linkages between those institutions). Finally, Nelson shows how increasing the hierarchy of an institutional system, by creating a focal point on a single institution, can make coordination easier for coalitions.**

**Plant genetic diversity is crucial to the breeding of food crops and is therefore a central precondition for food security. Diverse genetic resources provide the genetic traits required to deal with crop pests and diseases, as well as changing climate conditions. Plant genetic diversity is also essential for traditional small-scale**

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**farming, and is therefore an indispensable factor in the fight against poverty. However, the diversity of domesticated plant varieties is disappearing at an alarming rate while interest in the commercial use of genetic resources has increased in line with bio-technologies, followed by demands for intellectual property rights. This important book contributes to our understanding of how international regimes affect the management of plant genetic resources for food and agriculture in developing countries. It identifies entry points to shape a better governance of**

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**agrobiodiversity and provides  
the first comprehensive  
analysis of how the  
international agreements  
pertaining to crop genetic  
resources affect the  
management of these vital  
resources for food security  
and poverty eradication in  
developing countries.**

**Leeway to Operate With Plant  
Genetic Resources**

**On-farm Conservation of Crop  
Diversity**

**African Coalitions and Global  
Economic Governance  
Sources, Processes, and  
Consequences**

**National Laws Regulating  
Access to Genetic Resources  
in the Americas**

**The Global Environment**

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**Global Intellectual Property  
Strategies for a Redesigned  
Microbial Research Commons**

'This is a valuable overview of the landscape of genetic resources governance at the international level identifying key resources, issues, rules, actors and processes. the work's key contribution is to identify interactions and connections between the different governance elements and then to systematically consider some of the cross cutting governance issues. This analysis is very clear and a welcome challenge to some of the existing orthodoxy.' - Charles Lawson, Griffith Law



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School, Australia

Multi-institutional governance architectures are increasingly common in world politics, yet how do they evolve over time? This book develops a fresh conceptual approach by distinguishing two main types of institutional change and by proposing the strategic context within which governments make decisions regarding international cooperation as the main driving factor. Applying this theoretical framework to the case of genetic resources, it shows how the scope for change has persistently been circumscribed by asymmetries

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in the global biotechnology sector. Taking a broad view of the underlying technological, legal and economic factors, the book analyzes the formation of international regimes linking access to genetic resources to the fair and equitable sharing of the benefits arising out of their utilization. Covering negotiations in the areas of seeds, intellectual property rights, pandemic influenza viruses and marine genetic resources, the author shows how governments have persistently faced the problem of ensuring cooperation among actors with widely differing interests. This led them to opt

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for a strategy of institutional layering, whereby new international instruments are gradually built upon pre-existing ones. In addition to giving a comprehensive overview of the international governance of Access and Benefit-sharing within the wider context of modern biotechnology, the argument developed here enables a new perspective for studying institutional change in multi-institutional governance architectures.

This book explores the emergence and development of the legal concept of fair and equitable benefit-sharing, and

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its application in agriculture. Developed in the 1990s, the concept of fair and equitable benefit-sharing has been deployed in an ever-wider variety of international instruments, including those on biodiversity, climate change and human rights. A lack of clarity persists, however, on what fair and equitable benefit-sharing requires and entails, and whether its implementation supports or eventually undermines equity and justice. This book examines these questions in the area of land, food and agriculture, addressing for the first time several instances of

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the agricultural production chain, including research and development, land governance and land use and access to markets. It identifies challenges regarding implementation of the concept as enshrined in environmental treaties and soft-law instruments, with a focus on the International Treaty on Plant Genetic Resources for Food and Agriculture, the Voluntary Guidelines on Tenure and the UN Declaration on the Rights of Peasants. It investigates its role, enabling conditions and limitations, in a contradictory policy context involving environmental, food

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security and human rights objectives but also a growing web of multilateral and bilateral trade and investment agreements. Linking international law research with a socio-legal analysis, the book addresses four grassroots examples, which offer ideas for institutional and legal innovation from the local to the global level. This interdisciplinary title will be of great interest to students and scholars of international environmental law, agriculture, land law, development studies and global governance, as well as policymakers and practitioners working in these

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Global Governance of Genetic  
Resources Access and Benefit  
Sharing after the Nagoya  
Protocol Routledge  
Protecting Biodiversity  
Institutions, Law and Policy  
Governance for a Sustainable  
Future

The Global Governance of  
Genetic Resources  
Canada and Global Access and  
Benefit Sharing

# Access PDF Global Governance Of Genetic Resources Access And Benefit Sharing After The Nagoya Protocol Crop Genetic Resources as a Global Commons

The book focuses on the interactions between international legal regimes related to biodiversity governance. It addresses the systemic challenges by analyzing the legal interactions between international biodiversity law and related international law applicable to economic activities, as well as issues related to the governance of biodiversity based on functional, normative, and geographic dimensions, in order to present a crosscutting, holistic approach. The global COVID-19 pandemic, the imminent revision of the Strategic Plan for Biodiversity 2011-2020, and the Aichi Targets have created the momentum to



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focus on the interactions between the Convention on Biological Diversity and other international environmental regimes. Firstly, it discusses the principles that inspire biodiversity-related conventional law, the soft law that conveys targets for enforcement of the Biodiversity Convention, their structural, regulatory and implementation gaps, the systemic relations arising from national interests, and the role of scientific advisory bodies in biodiversity-related agreements. The second part then addresses interactions in specific conventional frameworks, such as the law of multilateral trade and global public health, and the participation of communities in the management of genetic resources. Lastly, the third part

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illustrates these issues using four case studies focusing on the challenges for sustainability and marine biodiversity in small islands, the Arctic Ocean, the Caribbean Sea, and the Mediterranean Sea, as a way to strengthen a horizontal and joint approach. The book is primarily intended for academics, researchers, and students interested in international environmental law and policy and in interactions for creating conditions for fair, sustainable, and resilient environmental development. By offering an analysis of instruments and criteria for systemic relations in those areas, it will also appeal to public and private actors at the domestic and international level.

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This book explores the role that the language of international law plays in constructing understandings - or narratives - of hunger in the context of climate change. The story is told through a specific case study of genetically engineered seeds purportedly made to be 'climate-ready'. Two narratives of hunger run through the storyline: the prevailing neoliberal narrative that focuses on increasing food production and relying on technological innovations and private sector engagement, and the oppositional and aspirational food sovereignty narrative that focuses on improving access to and distribution of food and rejects technological innovations and private sector engagement as the

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best solutions. This book argues that the way in which voices in the neoliberal narrative use international law reinforces fundamental assumptions about hunger and climate change, and the way in which voices in the food sovereignty narrative use international law fails to question and challenge these assumptions. *Genes in the Field* provides an interdisciplinary foundation for an important new conservation program: maintaining biological resources of crop plants within the systems where they have evolved. The book offers a truly global vision of the on-farm conservation movement and, like no other before it, provides a comprehensive review of the issues and challenges of on-farm

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conservation of genetic resources. The book's chapters are written by a collection of outstanding scholars and academics from a variety of disciplines; they include biologists, agronomists, anthropologists, economists, lawyers and agricultural development specialists. *Genes in the Field* is truly global in scope and multidisciplinary in character. It will appeal to a large, varied and international audience. Its most general appeal will be to professionals in the fields of conservation and agricultural development, particularly those who are involved in planning or implementing conservation programs. For course work, the book will be appropriate for graduate programs in agricultural

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development and conservation. Globally, local and indigenous approaches to conserving biodiversity, crop improvement, and managing precious natural resources are under threat. Many communities have to deal with 'biopiracy,' for example. As well, existing laws are usually unsuitable for protecting indigenous and traditional knowledge and for recognizing collective rights, such as in cases of participatory plant breeding, where farmers, researchers and others join forces to improve existing crop varieties or develop new ones, based on shared knowledge and resources. This book addresses these issues. It outlines the national and international policy processes that

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are currently underway to protect local genetic resources and related traditional knowledge and the challenges these initiatives have faced. In particular these themes are addressed within the context of the Convention of Biological Diversity and the International Treaty on Plant Genetic Resources for Food and Agriculture. The authors broaden the policy and legal debates beyond the sphere of policy experts to include the knowledge-holders themselves. These are the 'custodians of biodiversity': farmers, herders and fishers in local communities. Their experience in sharing access and benefits to genetic resources is shown to be crucial for the development of effective national and international agreements. The

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book presents and analyzes this experience, including case studies from China, Cuba, Honduras, Jordan, Nepal, Peru and Syria. Copublished with the International Development Research Centre (IDRC).

Challenges in International Law and Governance

Benefit Sharing Without Undue Inducement

Power, Equity and Conservation Governing Agrobiodiversity

The Evolution and Implementation of the Convention on Biological Diversity

Institutional Change and Structural Constraints

Genetic Resources, Justice and Reconciliation

*This edited collection makes a highly significant critical*



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*contribution to the field of environmental politics. It argues that the international-level, institutionalist approach to global environmental politics has run its course, employed solely by powerful actors in order to orchestrate and manipulate local communities within a continuing hegemonic system. The outstanding international line-up of contributors to this volume explore the real advances that are being made in the areas where the local and global intersect and how power fits into the equation. They explore the relationship between governance, power*

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*and knowledge, using power as the main analytical tool. The contributors adopt a variety of approaches and perspectives – some starting from the local level and shifting upward to the global, and some using a global perspective that narrows down to the local. Some chapters explore specific case studies and others employ a more conceptual framework – but all of them bring a new dimension to the relationship between power and knowledge in environmental governance. Power here is explored in all its guises – from relational to structural power. An important*

*and timely exploration of a topic at the forefront of global debate, Environmental Governance is essential reading for all students of global environmental politics, international political economy and international relations. Sustainability and food production represent a major challenge to society, with both consumption and supply sides posing practical and ethical dilemmas. This book shows that food governance issues can occur in many ways and at many points along the food chain. The risks and impacts, particularly with the increasing globalisation of*

*food systems, are often distributed in unequal ways. It is the role of law to form the pivot around which these issues are addressed in society in the form of food governance mechanisms. The chapters in this book address a range of issues in food governance revolving around questions of justice, fairness, equality and human rights. They identify different issues regarding inequality in access and control over food governance. Some address generic governance and institutional issues across a range of international contexts, while others present case studies,*

*including from Argentina, China, India, Indonesia, Thailand, UK and West Africa. The book offers directions for reform of the law and legal institutions to mitigate the dangers of inequality and promote greater fairness in food governance.*

*Conservation of biodiversity is a fundamental concern towards securing a sustainable future. This volume argues that despite various domestic and international policies and legal frameworks on biodiversity conservation — be it forest, wildlife, marine, coastal, etc. — their implementation suffers from*

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*many deficiencies. It explores the factors that hinder effective implementation of these policies and frameworks. It also analyses existing laws, both international and domestic, to identify inherent problems in the existing legal system. The book maintains that careful adherence to established procedures and protocols, public awareness, filling the lacuna in legal framework, and a strong political will are sine qua non for effective conservation of biodiversity and sustainable development. The volume defends the protection of traditional knowledge and*

*participation of indigenous communities along with reinforcements of intellectual property in this regard. It also commends the role played by the Indian judiciary, especially the Supreme Court of India and India's National Green Tribunal for the preservation and enhancement of natural resources by applying established as also evolving principles of environmental law. This book will be useful to scholars and researchers of environmental studies, development studies, policy studies and law related to biodiversity and conservation. 'The instability of the global*

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*food supply system requires our urgent attention. There are no easy solutions but the starting point must entail a critical analysis of the existing institutions governing the ownership and exchange of the plant genetic resources that underpin our long-term food security. Dr Chiarolla's book makes a valuable contribution to the debate.'* – Graham Dutfield, University of Leeds, UK  
*'This book captures some of the key issues underlying the ever-lasting food crises both at national and global levels. It demonstrates how global policies impact national and local actions while food*



*insecurity seems to be a constant companion to many, in spite of decades of our work on securing food as a fundamental right for the poor.'* – Balakrishna Pisupati, United Nations Environment Programme, Kenya 'This thoughtful book raises important issues about ownership of agricultural resources, the environment and food security. Claudio Chiarolla has written an important book that challenges traditional notions of plant genetic resources and agricultural research. The author's detailed and thorough approach ensures that the

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*book will make a valuable contribution to the debate about sustainable agricultural development and it is highly recommended to anyone interested in intellectual property rights and sustainable agriculture.'* –  
*Duncan Matthews, Queen Mary, University of London, UK* This well-researched book focuses on international governance of crop diversity and agricultural innovation. It highlights the implications that the future control of food, including access to agricultural resources and technologies, might have for global food security. Claudio

*Chiarolla analyses*

*developmental implications of global regulatory reforms that impact on access to agricultural knowledge, science and technology for sustainable development.*

*Current global arrangements fall short of halving the proportion of people who suffer from hunger in accordance with the Millennium Development Goals' framework. Therefore, the book proposes ways to achieve international equity in the way agricultural research is conducted, how its results are disseminated and the benefits shared. This definitive*

*study will be appreciated by anyone interested in intellectual property, agricultural innovation, environmental policy, biotechnology and associated regulatory challenges. It will be a valuable resource for policymakers and practitioners, legislators, academic professionals, civil society activists and scholars in legal, environment and development studies.*

*Governing Digitally Integrated Genetic Resources, Data, and Literature*

*Access to Genetic Resources and Sustainable Innovation in the Health Industry and*

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*Health Research: A Colombian  
Legal Perspective*

*Essential Concepts of Global  
Environmental Governance*

*Rights to Animal Genetic  
Resources*

*Governing Global Biodiversity  
Biodiversity, Genetic*

*Resources and Intellectual  
Property*

*Power and the Global*

*Governance of Plant Genetic  
Resources*

The free exchange of microbial genetic information is an established public good, facilitating research on medicines, agriculture, and climate change. However, over the past quarter-century, access to genetic resources has been hindered by intellectual property claims from developed countries under the World

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Trade Organization's TRIPS Agreement (1994) and by claims of sovereign rights from developing countries under the Convention on Biological Diversity (CBD) (1992). In this volume, the authors examine the scientific community's responses to these obstacles and advise policymakers on how to harness provisions of the Nagoya Protocol (2010) that allow multilateral measures to support research. By pooling microbial materials, data, and literature in a carefully designed transnational e-infrastructure, the scientific community can facilitate access to essential research assets while simultaneously reinforcing the open access movement. The original empirical surveys of responses to the CBD included here provide a valuable addition to the literature on governing scientific knowledge commons.

Colombia is one of the most biodiverse

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countries in the world and consequently has sought to employ genetic resources to further both its economic development and technological and scientific advancement. Colombia's implementation of the international regime on access to genetic resources and benefit sharing responds to the interests of the country in employing genetic resources for health research and also for the health industry. However, the relevant Colombian law leaves aside practices and knowledge that emanate from local, indigenous, and Afro-Colombian communities in adding value to biodiversity. Through an interdisciplinary analysis, this book adds a novel country case study to existing international socio-legal literature on the International Regime on Access to Genetic Resources and Benefit Sharing, showing its deficiencies when considered at national and local levels. Further, drawing

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on a Capability Approach, the book aims to suggest an alternative approach for Colombia, making the normative claim that such an approach would create a more inclusive model of innovation in the use of biodiversity.

Intellectual Property in Global Governance critically examines the evolution of international intellectual property law-making from the build up to the TRIPS Agreement, through the TRIPS and post-TRIPS era. The book focuses on a number of thematic intellectual property issue linkages, exploring the formal and informal institutional interactions and multi-stakeholder holder intrigues implicated in the global governance of intellectual property. Using examples from bio-technology, bio-diversity, bio-prospecting and bio-piracy it investigates the shift or concentration in the focus of innovation from physical to life sciences



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and the ensuing changes in international intellectual property law making and their implications for intellectual property jurisprudence. It examines the character of the reception, resistance and various nuanced reactions to the changes brought about by the TRIPS Agreement, exploring the various institutional sites and patterns of such responses, as well as the escalation in the issue-linkages associated with the concept and impact of intellectual property law. Drawing upon multiple methodological approaches including law and legal theory; regime theory, globalization and global governance Chidi Oguamanam explores the intellectual property dynamics in the "Global Knowledge Economy" focusing on digitization and information revolution phenomenon and the concept of a post-industrial society. The book articulates an agenda for global governance of

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intellectual property law in the 21st century and speculates on the future of intellectual property in North-South relations.

Legitimacy is central for the capacity of global governance institutions to address problems such as climate change, trade protectionism, and human rights abuses. However, despite legitimacy's importance for global governance, its workings remain poorly understood. That is the core concern of this volume: to develop an agenda for systematic and comparative research on legitimacy in global governance. In complementary fashion, the chapters address different aspects of the overarching question: whether, why, how, and with what consequences global governance institutions gain, sustain, and lose legitimacy? The volume makes four specific contributions. First, it argues for a sociological approach to legitimacy,

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centered on perceptions of legitimate global governance among affected audiences. Second, it moves beyond the traditional focus on states as the principal audience for legitimacy in global governance and considers a full spectrum of actors from governments to citizens. Third, it advocates a comparative approach to the study of legitimacy in global governance, and suggests strategies for comparison across institutions, issue areas, countries, societal groups, and time. Fourth, the volume offers the most comprehensive treatment so far of the sociological legitimacy of global governance, covering three broad analytical themes: (1) sources of legitimacy, (2) processes of legitimation and delegitimation, and (3) consequences of legitimacy.

Law and Policy for Agrobiodiversity and  
Food Security

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Plant Genetics and Developing Countries

The Governance of Nature and the Nature  
of Governance

Governance of Genetic Resources

A Guide to Navigating the Complex  
Global Landscape

Stakeholder Perspectives on the

International Treaty on Plant Genetic  
Resources for Food and Agriculture

Biodiversity

*This book analyses the status  
and prospects of the global  
governance of Access Benefit  
Sharing (ABS) in the aftermath  
of 2010's Nagoya Protocol to  
the Convention on Biological  
Diversity (CBD). The CBD's  
initial 1992 framework of global  
ABS governance established the  
objective of sharing the benefits*

arising from the use of genetic resources fairly between countries and communities. Since then, ABS has been a contested issue in international politics - not least due to the failure of effective implementation of the original CBD framework. The Nagoya Protocol therefore aims to improve and enhance this framework. Compared to the slow rate of progress on climate change, it has been considered a major achievement of global environmental governance, but it has also been coined a 'masterpiece of ambiguity'. This book analyses the role of a

*variety of actors in the emergence of the Nagoya Protocol and provides an up-to-date assessment of the core features of the architecture of global ABS governance. This book offers a central resource regarding ABS governance for those working on and interested in global environmental governance. This is achieved by focusing on two broad themes of the wider research agenda on global environmental governance, namely architecture and agency. Furthermore, individual chapter contributions relate and link ABS governance*

*to other prominent debates in the field, such as institutional complexes, compliance, market-based approaches, EU leadership, the role of small states, the role of non-state actors and more. Partly due to its seeming technical complexity, ABS governance has so far not been at the centre of attention of scholars and practitioners of global environmental governance. In this book, care is taken to provide an accessible account of key functional features of the governance system which enables non-specialists to gain a grasp on the main issues*

*involved, allowing the issue of ABS governance to move centre-stage and be more fully recognised in discussions on global environmental governance.*

*Debates about Access and Benefit Sharing (ABS) have moved on in recent years. An initial focus on the legal obligations established by international agreements like the United Nations Convention on Biological Diversity and the form of obligations for collecting physical biological materials have now moved to a far more complex series of disputes and challenges about*



*the ways ABS should be implemented and enforced: repatriation of resources, technology transfer, traditional knowledge and cultural expressions; open access to information and knowledge, naming conventions, farmers' rights, new schemes for accessing pandemic viruses and sharing DNA sequences, and so on. Unfortunately, most of this debate is now crystallised into apparently intractable discussions such as implementing the certificates of origin, recognising traditional knowledge and traditional cultural expression as a form of*

*intellectual property, and sovereignty for Indigenous peoples. Not everything in this new marketplace of ABS has been created de novo. Like most new entrants, ABS has disrupted existing legal and governance arrangements. This collection of chapters examines what is new, what has been changed, and what might be changed in response to the growing acceptance and prevalence of ABS of genetic resources. Biodiversity, Genetic Resources and Intellectual Property: Developments in Access and Benefit Sharing of Genetic Resources addresses*

*current issues arising from recent developments in the enduring and topical debates about managing genetic resources through the ABS regime. The book explores key historical, doctrinal, and theoretical issues in the field, at the same time developing new ideas and perspectives around ABS. It shows the latest state of knowledge and will be of interest to researchers, academics, policymakers, and students in the fields of intellectual property, governance, biodiversity and conservation, sustainable development, and agriculture.*

*This timely study will be of interest to students and academics concerned with the management of genetic resources and its connection to issues such as intellectual property rights, biodiversity conservation and food security.*

*It will appeal strongly t*  
*Protecting Biodiversity:*  
*National laws regulating access to genetic resources in the Americas*

*Biological Diversity and International Law*

*Implementing the Nagoya Protocol*

*Sharing Access to and Benefits of Genetic Resources*

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*Reinventing Agrarian Justice  
The Effects of the Convention  
on Biological Diversity on the  
Global Governance of Genetic  
Resources*

*Law, Policy and Governance  
Comparing Access and Benefit-  
Sharing Regimes in Europe*

First Published in 1999. Routledge is an imprint of Taylor & Francis, an informa company.

Biotechnology is at the heart of heated debates about ethics, safety, economic development, and about the control over the biological materials and technologies used. The latter, grossly called biodiversity issues relating to the application of intellectual property, has been the subject of a wealth of literature. Yet, the situation

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of animal genetic resources specifically has only marginally been addressed so far. Many books and articles address [biotechnology and agriculture], but have only plants and seeds in mind. Case-law and specific regulation is equally scarce.

Exacerbated by the so-called [erosion of animal genetic resources], climate change, the globalization of the market-place, and a strong concentration of markets, animal genetic resources however demand specific analysis and adjustments in intellectual property law. The decoupling of rights over animal genetic resources as an abstract concept, from those over the concrete animals is a fact today. The application of patents in this context became a full-fledged part of the management of animal genetic resources. This monograph analyzes

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against this background the impact of the patent system on ownership traditions in agriculture, on animal welfare, and on biodiversity. It looks at how those factors in turn are likely to affect the shape of patent law, and how they should affect it. The author hereby focuses on important specific issues arising, including the following: the underlying elements deciding on the shape of regulation – innovation, economic development, agriculture, human rights, animal welfare, the conservation of resources, and equal trading conditions; the continuing applicability of trademarks, geographical indications, copyright, and trade secrets; patentability rules and exclusions; the extension of patent rights over progeny; the meaning of “essentially biotechnological processes”; the legal

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definitions of "morality" and "ordre public" in the context of animal welfare; and the future of international patent law in the context of global governance theories. With detailed investigation of how three major jurisdictions – the European Union, the United States, and Canada – have regulated the matter, the book highlights unresolved issues in the laws dealing with animal genetic resources. How do the usual principles of patent law affect ownership over animals in agriculture? To what extent is patent law in accordance with neighbouring fields of regulation, with relation to animal welfare? How can intellectual property be used to alter, stimulate, or tackle developments in the realm of the conservation and promotion of biodiversity? Questions like these are asked, checked upon



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the more technical country studies; and then used to put to test the adequacy of international patent regulation in a final chapter. As a deeply informed overview of the arguments and discussion points, this is the only book of its kind. It links general discussions to the often technical and complicated patent regulations, in the specific context of animal genetic resources. It is sure to bring lawyers in the field closer to the policy debates; and decision makers closer to the precise idiosyncrasies of patent law.

Presents the first comprehensive study of Indigenous perspectives on genetic resources, traditional knowledge, and access and benefit sharing in Canada. This book is also available as Open Access.

Aligning global governance to the

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challenges of sustainability is one of the most urgent environmental issues to be addressed. This book is a timely and up-to-date compilation of the main pieces of the global environmental governance puzzle. The book is comprised of 101 entries, each defining a central concept in global environmental governance, presenting its historical evolution, introducing related debates and including key bibliographical references and further reading. The entries combine analytical rigour with empirical description. The book: offers cutting edge analysis of the state of global environmental governance, raises an up-to-date debate on global governance for sustainable development, gives an in-depth exploration of current international architecture of global environmental

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governance, examines the interaction between environmental politics and other fields of governance such as trade, development and security, elaborates a critical review of the recent literature in global environmental governance. This unique work synthesizes writing from an internationally diverse range of well-known experts in the field of global environmental governance. Innovative thinking and high-profile expertise come together to create a volume that is accessible to students, scholars and practitioners alike.

Reports of the Commissions of the  
World Humanity Action Trust  
Intellectual Property and Biodiversity  
Redesigning the Global Seed  
Commons  
Challenges for the Post 2020 Scenario  
Challenges for justice, equality and

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human rights

Narratives of Hunger in International  
Law

A Development Question

The main question explored by the book is: How can cross-border access to human genetic resources, such as blood or DNA samples, be governed in such a way as to achieve equity for vulnerable populations in developing countries? The book situates the field of genomic and genetic research within global health and research frameworks, describing the concerns that have been raised about the potential unfairness in exchanges during recent decades. Access to and sharing in the benefits of human

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biological resources are aspects not regulated by any international legal framework such as the Convention on Biological Diversity, which applies only to the exchange of plants, animals and microorganisms, as well as to associated traditional knowledge. Examples of genetic research perceived as exploitative are provided in order to illustrate the legal vacuum concerning the global governance of human genetic resources. The main conclusions drawn from the legal and ethical analysis are:

- Benefit sharing is crucial in order to avoid the exploitation of developing countries in human genetic research.
- With functioning

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research ethics committees, undue inducement is less of a concern in genetic research than in other areas of medical research (e.g. clinical trials). • Concerns remain over research involving indigenous populations; accordingly, recommendations are provided. In drawing these conclusions, the book addresses in detail a highly pressing topic in global bioethics and international law. In this regard, it combines bioethical arguments with jurisprudence, in particular with reference to the law of equity and the legal concepts of duress (coercion), unconscionable dealing, and undue inducement. Our food and livelihood security depend on the sustained

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management of the diverse biological resources that make up the Earth's plant genetic resources. This book is about the creation, management and use of the global crop commons, based upon the International Treaty on Plant Genetic Resources for Food and Agriculture.

The process of rapid development comes with a price and it is mostly done at the expense of biodiversity and general environmental degradation. The complex interrelationship between agricultural biodiversity and biotechnology as well as the conflicting institutional interplay in the international governance of the conservation and use of plant

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genetic resources has resulted in a trade-environment deadlock between the technologically advanced developed nations and genetically resource rich developing and least developed nations to the detriment of the collective interests of the global community. The aim of the current research is to investigate the origins, operations and effects of legal regimes, policies and practices related to conservation of biodiversity. It undertakes a comparative study of laws and policies in this area to gain an in-depth understanding of the factors behind the lack of success in conserving biodiversity in general and agricultural biodiversity in



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particular and explores ways in which the conflicts between the WTO Agreements and the CBD can be resolved. The research undertook a socio-legal approach utilizing a qualitative research method which predominantly relied on content analysis of provisions in the various treaties that had a bearing on conservation of biodiversity as well as decided cases, reports and studies that analyzed the implementation of these treaties. The findings of the study indicated that global governance structures such as the WTO and the CBD have to reinvent themselves in order to meet the challenges of the millennia brought about by cutting edge

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technologies such as modern biotechnology. The global community also must have an Ubuntu mindset i.e. unity consciousness to tackle global challenges such as biodiversity loss and global warming which threatens the wellbeing of the planet and its inhabitants. Without such a mindset, no technology, policies or laws will be able to avert the global crises which may culminate into massive extinctions and jeopardize the future of this planet. We need to ensure that our policies and laws are entrenched with ethical values promoted at the global level aimed at ensuring the wellbeing of all.

Biodiversity and ecosystem

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Nagoya Protocol

services are being degraded faster than at any other time in human history.

Fair and Equitable Benefit-Sharing in Agriculture (Open Access)

Global Governance of Genetic Resources

Intellectual Property, Agriculture and Global Food Security

Developments in Access and Benefit Sharing

The Custodians of Biodiversity Environmental Governance

Power and Knowledge in a Local-Global World

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Frontiers Journals Series: they are collections of at least ten articles, all centered on a particular subject. With their unique mix of varied contributions from Original Research to Review Articles, Frontiers Research Topics unify the most influential researchers, the latest key findings and historical advances in a hot research area! Find out more on how to host your own Frontiers Research Topic or contribute to one as an author by contacting the Frontiers Editorial Office: [frontiersin.org/about/contact](http://frontiersin.org/about/contact). There is much current controversy over whether the rights to seeds or plant genetic

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resources should be owned by the private sector or be common property. This book addresses the legal and policy aspects of the multilateral seed management regime. First, it studies in detail the International Treaty on Plant Genetic Resources for Food and Agriculture (the Treaty) in order to understand and identify its dysfunctions. Second, it proposes solutions - using recent developments of the "theory of the commons" - to improve the collective seed management system of the Treaty, a necessary condition for its member states to reach the overall food security and

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sustainable agriculture goals. Redesigning the Global Seed Commons provides a significant contribution to the current political and academic debates on agrobiodiversity law and governance, and on food security and food sovereignty, by analyzing key issues under the Treaty that affect the design and implementation of regulatory instruments managing seeds as a commons. It also examines the practical, legal, political and economic problems encountered in the attempt to implement these obligations in contemporary settings. In particular, it considers how to improve the Treaty

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implementation by proposing ways for Contracting Parties to better reach the Treaty's objectives taking a holistic view of the human-seed ecosystem. Following the tenth anniversary of the functioning the Treaty's multilateral system of access and benefit-sharing, which is currently under review by its Contracting Parties, this book is well-timed to examine recent developments in the field and guide the current review process to design a truly Global Seed Commons.

The International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) is a pivotal piece of recent

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legislation, providing a route map for the use of such resources for sustainable agriculture and food security. Plant Genetic Resources and Food Security explains clearly the different interests and views at stake between all players in the global food chain. It touches upon many issues such as international food governance and policy, economic aspects of food and seed trade, conservation and sustainable use of food and agricultural biodiversity, hunger alleviation, ecological concerns, consumers' protection, fairness and equity between nations and generations, plant breeding



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techniques and socio-economic benefits related to food local economies. The book shows that despite the conflicting interests at stake, players managed to come to an agreement on food and agriculture for the sake of food security and hunger alleviation in the world.

Published with the Food and Agriculture Organization (FAO) of the United Nations and with Bioversity International.

Plant Genetic Resources and Food Security

Policy that Works for Biodiversity and Livelihoods

Food Systems Governance

The Privatisation of Crop

Diversity

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Legitimacy in Global Governance  
Intellectual Property in Global  
Governance

Feeding the World in Times of  
Climate Change